

10/546551
JC20 Rec'd PCT/PTO 23 AUG 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Peter ELLENBERGER	Docket No.:	MBZ-0513
Int'l Application No.:	PCT/EP2004/001229	Int'l Filing Date:	10 February 2004
		Priority Date:	28 February 2003
Serial No:	New U.S. National Phase Application	Examiner:	N/A
Submitted:	23 August 2005	Group Art Unit:	N/A
For:	METHOD AND COMPOSITION FOR INJECTION AT A TUNNEL BORING MACHINE		

Mail Stop PCT
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
FILED CONTEMPORANEOUSLY WITH THE APPLICATION**

(37 C.F.R. §1.97(b)(1))

Pursuant to 37 CFR §1.97 encouraging the filing of an Information Disclosure Statement, Applicant submits this paper in compliance with the duty of disclosure as set forth in 37 C.F.R. §1.56.

Applicant wishes to introduce art having some relevance to the present application, which has been listed on attached Form PTO/SB/08A. This form includes six (6) United States patent documents, and four (4) foreign patent documents. No representation is made that a specific search has been made by Applicant, that the information is material to the claimed subject matter, or that the information represents the only or the best information.

Applicant does not admit that any of the information provided is necessarily prior to the invention, but rather it is information of which Applicant is aware and believes should be provided to the Office in fulfillment of the duty of disclosure. Any question that may arise regarding the priority of a specific document shall be resolved during prosecution.

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV698630058US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joan R. Barnes
(type or print name of person signing paper)

Joan R. Barnes
(signature of person mailing paper)

8-23-2005
(date)

10/546551

1020 Rec'd PCT/PTO 23 AUG 2005

The information provided is in the English language, except for FR 2 690 706A, for which English-language claims are enclosed in EP 0 638 137 B1.

The referenced art is being cited for the express purpose of providing the Patent and Trademark Office with the opportunity to make an evaluation and to arrive at an independent assessment of materiality of each document, if any, to the examination of this application.


It is noted that the Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. 1273 TMOG 55 (August 5, 2003). Applicant has not included copies of the U.S. patents that were cited on Form PTO/SB/08A.

Applicant respectfully requests that the information cited be made of record in the subject case.

IDENTIFICATION OF TIME OF FILING THE INFORMATION DISCLOSURE STATEMENT

The Information Disclosure Statement submitted herewith is being filed contemporaneously with the filing of the present application. No certification or fee is due with this filing of the Information Disclosure Statement. 37 C.F.R. §1.97(b)(1).

Respectfully submitted,



Joseph G. Curatolo, Esq. (Reg. No. 28,837)
Curatolo Sidoti Co., LPA
24500 Center Ridge Road, Suite 280
Cleveland, Ohio 44145
Customer No. 23575
Telephone: 440.808.0011
Facsimile: 440.808.0657
Attorney for Applicant

August 23, 2005
Date

JC20 Rec'd PCT/PTO 23 AUG 2009

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	New U.S. National Stage Application 10/546551
				Filing Date	August 23, 2005
				First Named Inventor	ELLENBERGER
				Art Unit	N/A
				Examiner Name	N/A
				Attorney Docket Number	MBZ-0513
Sheet	1	of	1		

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.